

AUG 20 2007

Amendment and Response
Applicant: Joseph M. Torgerson et al.
Serial No.: 10/827,030
Filed: April 19, 2004
Docket No.: 200210152-1
Title: FLUID EJECTION DEVICE

REMARKS

The following Remarks are made in response to the Non-Final Office Action mailed May 22, 2007, in which claims 3, 5, 32, 34-42, and 45-50 were withdrawn from consideration as being directed to a non-elected invention/species, and claims 1, 2, 4, 6-31, 33, 43, 44, 56, and 57 were rejected.

With this Amendment, claims 2 and 23 have been cancelled without prejudice, and claims 1, 4, 21, 22, 43, 44, and 56 have been amended to clarify Applicant's invention.

Claims 1, 4, 6-22, 24-31, 33, 43, 44, 56, and 57, therefore, remain pending in the application and are presented for reconsideration and allowance.

Claim Rejections under 35 U.S.C. § 103

Claims 1, 2, 4, 6-9, 21-24, 26, 43, 33, 56, and 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maze et al. US Publication No. 2001/0008411 in view of Bhaskar et al. US Patent No. 5,808,640.

Claims 1, 22, 43, and 45 are rejected under 35 U.S.C. 102(b) as being anticipated by Meyer US Publication No. 2002/0109755 in view of Bhaskar et al. US Patent No. 5,808,640.

Claims 10-19, 25, 27-31, and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maze et al. US Publication No. 2001/0008411 and Bhaskar et al. US Patent No. 5,808,640 and further in view of Cleland et al. US Patent No. 6,491,377.

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Maze et al. US Publication No. 2001/0008411 and Bhaskar et al. US Patent No. 5,808,640 and further in view of Chen et al. US Publication No. 2002/0135640.

[Regarding the rejection of claims 1, 22, 43, and 45 under 35 U.S.C. 102(b) as being anticipated by Meyer US Publication No. 2002/0109755 in view of Bhaskar et al. US Patent No. 5,808,640, as this rejection is based on a combination of references, Applicant assumes that this rejection is a rejection under 35 U.S.C. 103(a) rather than 35 U.S.C. 102(b).]

With this Amendment, independent claim 1 has been amended to clarify that "the reference conductor is disposed between adjacent first firing resistors and under the fluid path in an area between the first fluid feed slot edge and the first firing resistors."

With this Amendment, independent claim 22 has been amended to clarify that the fluid ejection device includes "a reference conductor formed on the substrate and

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disposed between adjacent first vaporization chambers and under the fluid path in an area between the first vaporization chambers and the first fluid feed slot edge."

With this Amendment, independent claim 43 has been amended to clarify that the method of operating a fluid ejection device includes **"receiving the first current from the first firing resistors at a reference conductor formed on the substrate between adjacent first firing resistors and under the fluid path in an area between the first fluid feed slot edge and the first firing resistors," and "conducting part of the first current through the reference conductor as disposed between adjacent first firing resistors and between the first fluid feed slot edge and the first firing resistors."**

With this Amendment, independent claim 56 has been amended to clarify that the fluid ejection device includes **"firing resistors disposed in the vaporization chambers," "conductive leads extending to and from the firing resistors," and "a reference conductor disposed between adjacent firing resistors, between the conductive leads of the adjacent firing resistors, and under the fluid path in an area between an edge of the fluid feed slot and the vaporization chambers."**

With respect to the Maze, Bhaskar, Meyer, Cleland, and Chen references, Applicant submits that these references, individually or in combination, do not disclose a fluid ejection device as claimed in independent claim 1 including, amongst other things, a reference conductor disposed between adjacent first firing resistors and under the fluid path in an area between the first fluid feed slot edge and the first firing resistors, do not disclose a fluid ejection device as claimed in independent claim 22 including, amongst other things, a reference conductor formed on the substrate and disposed between adjacent first vaporization chambers and under the fluid path in an area between the first vaporization chambers and the first fluid feed slot edge, do not disclose a method as claimed in independent claim 43 including, amongst other things, receiving the first current from the first firing resistors at a reference conductor formed on the substrate between adjacent first firing resistors and under the fluid path in an area between the first fluid feed slot edge and the first firing resistors, and conducting part of the first current through the reference conductor as disposed between adjacent first firing resistors and between the first fluid feed slot edge and the first firing resistors, and do not disclose a fluid ejection device as claimed in independent claim 56 including, amongst other things, a reference conductor disposed between adjacent firing

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resistors, between the conductive leads of the adjacent firing resistors, and under the fluid path in an area between an edge of the fluid feed slot and the vaporization chambers.

In view of the above, Applicant submits that independent claims 1, 22, 43, and 56, and the dependent claims depending therefrom, are each patentably distinct from the Maze, Bhaskar, Meyer, Cleland, and Chen references and, therefore, are each in a condition for allowance. Applicant, therefore, respectfully requests that the rejections of claims 1, 2, 4, 6-31, 33, 43, 44, 56, and 57 under 35 U.S.C. 103(a) be reconsidered and withdrawn, and that claims 1, 4, 6-22, 24-31, 33, 43, 44, 56, and 57 be allowed.

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CONCLUSION

In view of the above, Applicant respectfully submits that pending claims 1, 4, 6-22, 24-31, 33, 43, 44, 56, and 57 are all in a condition for allowance and requests reconsideration of the application and allowance of all pending claims.

Any inquiry regarding this Amendment and Response should be directed to either Gregg Wisdom at Telephone No. (360) 212-8052, Facsimile No. (360) 212-3060 or Scott A. Lund at Telephone No. (612) 573-2006, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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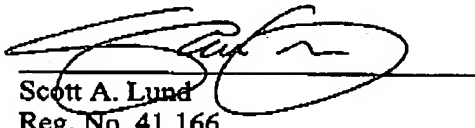
Respectfully submitted,

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CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this paper or papers, as described herein, are being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-8300 on this 20th day of August, 2007.

By 
Name: Scott A. Lund